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AO 91 (Rev. 11/11) Criminal Complaint

Officer:

Hector Rivera

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Salvador FIGUEROA TAVIRA, aka Edgar MERCADO

Case No.

Case: 2:25-mj-30051

Judge: Unassigned,

Filed: 02-10-2025

CMP USA V. SALVADOR FIGUEROA
TAVIRA (DA)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 5, 2025 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a)

Unlawful Reentry Following Removal

This criminal complaint is based on these facts:


On or about February 5, 2025, in the Eastern District of Michigan, Southern Division, Salvador FIGUEROA TAVIRA, aka Edgar MERCADO, an alien who had previously been removed from the United States on or about October 22, 2013, was thereafter found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☐ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: February 10, 2025City and state: Detroit, MI

Complainant's signature

Hector Rivera, Deportation Officer

Printed name and title



Judge's signature

Elizabeth Stafford, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Hector Rivera, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) of the United States Department of Homeland Security (DHS) at the Detroit Field Office. I have been employed in this capacity since February 2007. I am currently assigned to the Detroit ICE-ERO Fugitive Operations team.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and an arrest warrant for Salvador FIGUEROA-TAVIRA, also known as Edgar MERCADO, an alien who was previously removed from the United States on or about October 22, 2013, at or near El Paso, Texas, and was thereafter found in the United States on or about February 5, 2025, without having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission, all in violation of Title 8, United States Code, Section 1326(a).
3. The information contained in this affidavit is based upon my personal knowledge and observations, information provided by other law enforcement personnel to include ICE ERO Deportation Officers, and database record checks. I have also reviewed records from the official immigration file and system automated data relating to FIGUEROA-TAVIRA. I have not included every fact known to law enforcement related to this investigation.
4. FIGUEROA-TAVIRA is a forty-seven-year-old native and citizen of Mexico who last entered the United States on an unknown date, at an unknown place, without being inspected and admitted or paroled by an immigration officer.
5. On September 21, 2000, the Gwinnett County, Georgia Records Court convicted FIGUEROA-TAVIRA for the offense of Driving Under the Influence of Alcohol. The court imposed a sentence of \$825 in fines, 1 day confinement and 12 months' probation.

6. On December 14, 2006, the Hamilton County, Tennessee court convicted FIGUEROA-TAVIRA for the offense of Violating Driver's License Law. The court imposed a sentence of 30 days county workhouse and a fine of \$50.
7. On September 15, 2009, the Lawrenceville, Georgia Municipal Court convicted FIGUEROA-TAVIRA for the offense of Driving Without a Valid License. The court imposed a sentence of 180 days' confinement or fines of \$1,113.
8. On October 1, 2009, the Gwinnett County, Georgia State Court arrested FIGUEROA-TAVIRA for the offense of Driving Without a Valid License and Giving False Name, Address, or Birthdate to Law Enforcement Officer. He was convicted of both offenses and was sentenced to 12 months' probation and a fine of \$1,000.
9. On October 1, 2009, the Gwinnett County, Georgia State Court convicted FIGUEROA-TAVIRA for the offense of Failure to Appear. The court imposed a fine of \$200.
10. On October 10, 2012, Immigration and Customs Enforcement (ICE) in Cincinnati, Ohio arrested FIGUEROA-TAVIRA and served him with a Form I-862, Notice to Appear. On October 25, 2012, an immigration judge in Cleveland, Ohio ordered FIGUEROA-TAVIRA removed from the United States. On October 30, 2012, ICE removed FIGUEROA-TAVIRA from the United States to Mexico at Laredo, Texas.
11. On November 9, 2012, U.S. Border Patrol (USBP) arrested FIGUEROA-TAVIRA at or near Uvalde, Texas and served him a Form I-871, Notice of Intent/Decision to Reinstate Prior Order. On February 7, 2013, ICE removed FIGUEROA-TAVIRA from the United States to Mexico at Laredo, Texas.
12. On April 16, 2013, USBP arrested FIGUEROA-TAVIRA at or near Eagle Pass, Texas and served him a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
13. On April 18, 2013, the United States District Court at Del Rio, Texas convicted FIGUEROA-TAVIRA for the offense of Improper Entry, in violation of 8 U.S.C. §1325. The court imposed a sentence of 180 days' confinement.

14. On October 22, 2013, ERO removed FIGUEROA-TAVIRA from the United States to Mexico at El Paso, Texas.
15. On February 5, 2025, the ERO Detroit North Team traveled to the area of Lawrence and 2nd Avenue in Detroit, Michigan in search of Salvador FIGUEROA-TAVIRA also known as Edgar MERCADO. At approximately 2:00 p.m., a male subject matching the physical description of FIGUEROA-TAVIRA exited the residence and entered the driver seat of a red-colored Ford F150. An unknown Hispanic male was the front passenger. Officers initiated a vehicle stop to identify the driver on the reasonable suspicion that the driver matched the description of the male subject seen exiting the residence.
16. Officers approached the driver of the vehicle and requested identification. The driver provided a Mexican Identification Card bearing the name and photo of Salvador FIGUEROA-TAVIRA, and stated he is a citizen and national of Mexico. Deportation Officers placed FIGUEROA-TAVIRA under arrest having probable cause to believe he was an alien who had unlawfully reentered the United States after having been previously removed.
17. ICE-ERO Deportation Officers transported FIGUEROA-TAVIRA to the Detroit ICE Field Office for processing. The arrest and subsequent detention of FIGUEROA-TAVIRA was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
18. FIGUEROA-TAVIRA's fingerprints and photograph were captured and searched in the ICE/FBI systems. The fingerprints returned with a positive match for Salvador FIGUEROA-TAVIRA, also known as Edgar MERCADO, a native and citizen of Mexico who had previously been removed from the United States.
19. A review of FIGUEROA-TAVIRA's immigration file, record checks, and queries in the U.S. Department of Homeland Security databases confirmed that FIGUEROA-TAVIRA did not obtain the permission or express consent from the Attorney General or the Secretary of the Department of Homeland Security

to reapply for admission to the United States following his removal on October 22, 2013.

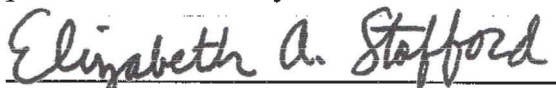
20. On February 5, 2025, ICE-ERO served FIGUEROA-TAVIRA with Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

21. Based on the above information, I believe there is probable cause to conclude that Salvador FIGUEROA-TAVIRA, also known as Edgar MERCADO, is an alien who has previously removed from the United States on or about October 22, 2013, at or near El Paso, Texas, and was thereafter found in the United States on or about February 5, 2025, in the Eastern District of Michigan, without first having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Sections 1326(a).



Hector Rivera, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me and signed in my presence and/or by reliable electronic means.



Elizabeth Stafford
United States Magistrate Judge